

FILED
U.S. DISTRICT COURT
DISTRICT OF NEBRASKA
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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

CARSON P., by his next friend, Crystal Foreman, et al.,)	Case No.: 04:05CV03241(RGK)(DLP)
)	
)	
Plaintiffs,)	
)	
v.)	
)	
DAVE HEINEMAN, as Governor of the State of Nebraska, et al.)	
)	
)	
Defendants.)	
_____)	

CONFIDENTIALITY ORDER

By agreement of the parties and for good cause shown, it is hereby ORDERED
that:

1. Any individually-identifiable information derived or ascertained from any document produced or other formal or informal disclosure made by a party to this case that concerns any minor child (under 19 years of age), such child's family members, foster family members, and persons included in any case files as a source of information concerning the child, including without limitation any names, addresses, telephone numbers, social security numbers, dates of birth, and other individual information likely to enable a reasonable member of the general public to ascertain the relevant person's

EXHIBIT A

identity (collectively, "Individually-Identifiable Information"), is hereby designated to be confidential and shall be subject to the provisions of this Order.

2. The use of Individually-Identifiable Information by the parties and their counsel for any purpose other than the preparation and trial of this case or other proceedings related to this case is prohibited, except as modified by subsequent order of this Court.

3. Disclosure of Individually-Identifiable Information shall be limited to the parties, their counsel and to staff employed by the parties or their counsel, including experts and persons employed by experts.

4. Any person to whom Individually-Identifiable Information is disclosed under the terms of this Order shall be provided a copy of this Order and is specifically directed not to reveal such information for any purpose other than as permitted by this Order. Furthermore, any person to whom Individually-Identifiable Information is disclosed under the terms of this Order who is not either a party, counsel for a party, or a direct employee of such counsel, shall sign a copy of the Statement of Confidentiality attached hereto and made a part hereof as Exhibit A, prior to being furnished with any such information.

5. If Individually-Identifiable Information is used during depositions or in pleadings, briefs, affidavits or other filings, the relevant portions of deposition transcripts, deposition exhibits, pleadings, briefs, affidavits and other documents shall be treated as confidential in accordance with this Order and redacted or sealed prior to filing in a manner consistent with Rule 5.3(a) of the Local Civil Rules.

6. If Individually-Identifiable Information is to be used during trial or in any other evidentiary hearing in this case, the relevant portions of any exhibits, testimony, and other evidentiary submissions shall be treated as confidential and redacted or sealed in a manner consistent with this Order and any subsequent order governing the treatment of Individually-Identifiable Information in this case.

7. This Order shall not apply to or prohibit the disclosure or dissemination of information other than Individually-Identifiable Information, including without limitation (i) summary data and calculations based on Individually-Identifiable Information that are not themselves individually-identifiable, and (ii) documents produced by a party to this action that as redacted or otherwise altered are not individually-identifiable.

8. No action shall be taken against any Named Plaintiff in retaliation for their participation in this lawsuit.

ENTERED this 25th day of Oct., 2005.



DAVID L. PIESTER
UNITED STATES MAGISTRATE JUDGE

AGREED TO AND APPROVED FOR ENTRY:

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Exhibit A

STATEMENT OF CONFIDENTIALITY

By signing this document, I hereby certify that I have read the Confidentiality Order entered by the Court in *Carson P., by his next friend, Crystal Foreman, et al. v. Heineman et al.*, 04:04CV03241(RGK)(DLP) on _____, 2005. I understand this Order and agree to abide by its terms by not disclosing confidential information to anyone other than counsel, employees or clerical staff subject to this order, except as required by lawful judicial process.

Date: _____

Name